

REMARKS

Applicants appreciate the approval of the drawings. Figure 6, however, has been amended to be separately labeled as Figure 6(A) and Figure 6(B) in accordance with USPTO rules. Figures 6(A) and 6(B) are identical to the Figure previously provided. Approval of Figures 6(A) and 6(B) is respectfully requested.

Applicants amend the specification to make specific reference to individual Figures 6(A) and 6(B) therein. Approval is respectfully requested.

In the Office Action, paragraph 1 indicates that the Applicants have not filed a certified copy of Japanese Patent Application 2000-354784 as required for the priority claim under 35 USC §119(b). This statement is in error. When this application was originally filed, a certified copy of the priority application was provided. This is shown by copies of the following documents:

- (1) a copy of the Express Mailing Certificate
- (2) a copy of the Patent Application Transmittal
- (3) a copy of the certified copy of the priority application
- (4) a copy of the Postal Card showing receipt of the application and certified copy.

The copy of the Express Mailing Certificate evidences mailing of the Patent Application Transmittal and enclosures listed thereon. The copy of the Patent Application Transmittal lists the priority document as an enclosure therein. More importantly, the copy of the postal card shows receipt of the certified copy of the Japanese Serial No. 2000-354784 application, as well as the other documents, by the USPTO.

The above evidence proves that the certified copy of the priority document was submitted to the USPTO. Therefore, an indication that the priority document was received by the USPTO is respectfully requested.

Paragraph 2 of the Office Action has been considered. Applicants agree that a claim for priority cannot be based on an application filed more than 12 months earlier in Japan. Therefore, Applicants limit their claim to the above discussed '784 Japanese application.

The objections to Claims 6 and 7 have been considered. Claims 6 and 7 have been cancelled.

The indication of allowable subject matter in Claims 3-5 is greatly appreciated. Independent Claim 1 has been amended to include the features of cancelled dependent Claim 3. Therefore, independent Claim 1 is believed allowable over the prior art of record.


Dependent Claim 5 has been rewritten into independent form including the features of parent Claim 1. Therefore, Claim 5 is now believed allowable over the applied prior art.

Claims 2 and 4 are believed allowable for the same reasons as amended Claim 1.

Added Claims 8-10 depend from independent Claim 5 and therefore are believed allowable. Claim 11 depends from Claim 1 and therefore is believed allowable.

Favorable consideration of this application and allowance of Claims 1, 2, 4, 5 and 8-11 is respectfully requested.

Respectfully submitted,



Brian R. Tumm

BRT/ad

FLYNN, THIEL, BOUTELL
& TANIS, P.C.

2026 Rambling Road
Kalamazoo, MI 49008-1631
Phone: (269) 381-1156
Fax: (269) 381-5465

Dale H. Thiel

David G. Boutell

Ronald J. Tanis

Terryence F. Chapman

Mark L. Maki

Liane L. Churney

Brian R. Tumm

Steven R. Thiel

Sidney B. Williams, Jr.

Reg. No. 24 323

Reg. No. 25 072

Reg. No. 22 724

Reg. No. 32 549

Reg. No. 36 589

Reg. No. 40 694

Reg. No. 36 328

Reg. No. 53 685

Reg. No. 24 949

Encl: Copy of Express Mailing Certificate
Copy of Patent Application Transmittal
Copy of postal card
Copy of certified copy of Japanese Patent
Appln. No. 2000-354784
Drawing sheet of Figs. 6(A) and 6(B)
Postal Card



PA NT APPLICATION

IN THE U.S. PATENT AND TRADEMARK OFFICE
Express Mail Label No.: EL 697 493 639 US
Attorney Docket No.: OPS Case 555
November 7, 2001

Box Patent Application
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted herewith for filing is the patent application of:

Inventor(s) : Okimitsu YASUDA and Seiichi FUJII

For : SULFURIC ACID RYCYCLE APPARATUS

Enclosed are:

- ☒ Specification
- ☒ Declaration or Oath
- ☒ 6 Drawing Sheets ☒ Formal
☐ Informal
- ☒ Preliminary Amendment Cancelling Claims
- ☐ Amendment Before First Office Action
- ☐ Information Disclosure Statement
- ☒ One Statement(s) re small entity (37 CFR 1.9 and 1.27)
- ☒ Assignment, with Recordation Form Cover Sheet
- ☒ Acknowledgment Postal Card
- ☒ Priority is claimed under 35 USC 119 based on Japanese Application No. 2000-354784, filed November 21, 2000.
- ☒ A certified copy of the priority application is enclosed.

The filing fee is calculated as shown below, after entering any enclosed Amendment which requests entry before such calculation:

For	No. Filed	No. Extra	() LG Entity	RATE	(X) SM Entity	Fee
Basic Fee				\$740.00	\$370.00	\$370.00
Total Claims	(7 - 20 = 0)		x	\$ 18.00	x \$ 9.00	0.00
Indep. Claims	(1 - 3 = 0)		x	\$ 84.00	x \$ 42.00	0.00
<input type="checkbox"/> Multiple Dep. Claim			+	\$280.00	+	\$140.00
* * * TOTAL FILING FEE * * *						\$ 370.00

☒ A Check for \$410.00 is enclosed to cover fees.

 **COPY**

- [] Please charge my Deposit Account No. 06-1382 in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- [X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or to credit any overpayment to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.
- [X] Any additional filing fees required under 37 CFR 1.16
- [] Any patent application processing fees under 37 CFR 1.17
- [] Pursuant to 37 CFR 1.52, the enclosed application is in the form of a foreign language text:
- [] An English translation and a statement that the English translation is accurate are enclosed.
- [] Please notify the undersigned of the due date for submitting an English translation and a statement that the English translation is accurate.
- [] An enclosed check includes the \$130.00 fee (37 CFR 1.17k) for processing a foreign language text.

Respectfully submitted,


Dale H. Thiel

IN DUPLICATE

DHT/jp

FLYNN, THIEL, BOUTELL
& TANIS, P.C.
2026 Rambling Road
Kalamazoo, MI 49008-1699
Phone: (616) 381-1156
Fax: (616) 381-5465

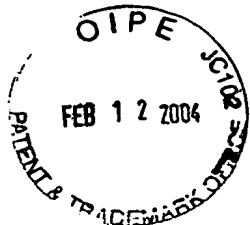
Dale H. Thiel
David G. Boutell
Ronald J. Tanis
Terryence F. Chapman
Mark L. Maki
David S. Goldenberg
Sidney B. Williams, Jr.
Liane L. Churney
Brian R. Tumm
Tricia R. Cobb

Reg. No. 24 323
Reg. No. 25 072
Reg. No. 22 724
Reg. No. 32 549
Reg. No. 36 589
Reg. No. 31 257
Reg. No. 24 949
Reg. No. 40 694
Reg. No. 36 328
Reg. No. 44 621

Encl: Listed above

100.0009

 **COPY**



PATENT APPLICATION

"Express Mail" Mailing Label No.: EL 697 493 639 US

Date of Mailing: November 7, 2001

Applicant(s): Okimitsu YASUDA et al.

Title: SULFURIC ACID RYCYCLE APPARATUS

Serial No.: Unknown

Filed: Unknown

Atty Docket No.: OPS Case 555

MAILED TO PATENT OFFICE

DATE NOV 07 2001 **NOV 07 2001**

Assistant Commissioner for Patents

Washington DC 20231

EXPRESS MAILING CERTIFICATE

Sir:

I hereby certify that the attached paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington DC 20231.

FLYNN, THIEL, BOUTELL & TANIS, P.C.

RECEIVED

FEB 19 2004

By: *Mia Schipper*

Date: November 7, 2001

Document(s) attached: Patent Application Transmittal dated
November 7, 2001, with listed enclosures

Telephone: (616) 381-1156

191.9912

 **COPY**



Received the following Application:
Applicant(s): Okimitsu YASUDA et al.
Title: SULFURIC ACID RYCYCLE APPARATUS
Serial No.: Unknown
Filing Date: Unknown
Pages of: Specification 29, Claims 2, Sheets of Drawings: 6
Declaration: Enclosed
PTO Fees: Filing Fee \$370.00; Assignment Recordal \$40.00
Check (\$410.00)

Other:
Preliminary Amendment Cancelling Claims
Marked-up Version of Amended Claims 3 and 5-7
Statement Claiming Small Entity Status
Assignment, with Recordation Form Cover Sheet
Certified Copy of Japanese Serial No. 2000-354784
Our Ref: OPS Case 555
Express Mail Cert. (Label No. EL 697 493 639 US)
Due: November 21, 2001



RECEIVED

FEB 19 2004

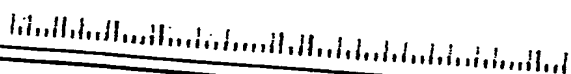
DHT	DGB	RJT
TFC	MLM	DSG
LLC	BRT	TRC



FEB 11 2002

SBW TLH KC
FLYNN, THIEL & BOUTERMO & TANISS P.C.
2026 Rambling Road
Kalamazoo, MI 49008-1699

008+1699 31



COPY